



# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

## ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ-155 Volume-155	ಬೆಂಗಳೂರು, ಸೋಮವಾರ, ೨೨, ಫೆಬ್ರವರಿ, ೨೦೨೧ (ಫಾಲ್ಗುಣ, ೦೩, ಶಕವರ್ಷ, ೧೯೪೨) BENGALURU, MONDAY, 22, FEBRUARY, 2021 (PHALGUNA, 03, SHAKAVARSHA, 1942)	ಸಂಚಿಕೆ - ೨೨ Issue - 22
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### ಭಾಗ ೪ಎ

ರಾಜ್ಯದ ವಿಧೇಯಕಗಳ ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ರಾಜ್ಯದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಆದ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರದ ಮತ್ತು ರಾಜ್ಯದ ಶಾಸನಗಳ ಮೇರೆಗೆ ರಾಜ್ಯ ಸರ್ಕಾರವು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ರಾಜ್ಯಾಂಗದ ಮೇರೆಗೆ ರಾಜ್ಯಪಾಲರು ಮಾಡಿದ ನಿಯಮಗಳು ಹಾಗೂ ಕರ್ನಾಟಕ ಉಚ್ಚ ನ್ಯಾಯಾಲಯವು ಮಾಡಿದ ನಿಯಮಗಳು

### GOVERNMENT OF KARNATAKA

NO. UDD 553 MNX 2018

Karnataka Government Secretariat,  
Vikasa Soudha,  
Bangalore, Dated: 17.02.2021.

### CORRIGENDUM

Whereas a Final Notification No. UDD 553 MNX 2018, Dtd: 31/10/2018 was issued under section 19(1) of BDA Act for the “**Formation of Dr. K. Shivarama Karantha Layout**” and the same was published in the Karnataka Gazette Dtd: 01/11/2018 in part – III at pages 4925 to 5072.

Whereas the above said Notification was issued as per the directions of the Hon’ble Supreme Court Order dated.03.08.2018 in Civil Appeal No.7661-63/2018 ( Arising Out of SLP No.10216-10218/2018). In the said order the Hon’ble Supreme Court directed that the State Government and Bangalore Development Authority to proceed with the acquisition of land without excluding land from acquisition and to submit a report to the Hon’ble Supreme Court on the steps taken in this regard within a period of 3 months from the date of issuance of this Order.

Whereas the Hon’ble Supreme Court in its Order dated.03.12.2020 reiterated its Judgment dated.03.08.2018 at Para.3 and 4 and categorically held that the acquisition of land under BDA Act is regulated by the provision of the Land Acquisition Act in so far as they are applicable (Section.36 of BDA Act). It is also held that the land owners would be

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given option to accept the developed eligible residential land or Opt. for compensation as per Land Acquisition Act, 1894. It is also further observed that the borrowed provision of LA Act, become an integral part of BDA Act and are totally unaffected by the repeal of the LA Act.

Whereas the Hon'ble Supreme Court in its Order mentioned above has categorically made clear that the provision of THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013 are not applicable for the acquisition proceedings made under the BDA Act, 1976.

Whereas, while issuing Final Notification under section 19(1) of BDA Act, due to some topographical errors or due to inadvertence in Para No.5. "THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013" (Central Act No. 30 of 2013, w.e.f. 1/1/2014) has been mentioned erroneously. Therefore, it is necessary for issuing Corrigendum to make clear the provisions that are aptly applicable in respect of Land Acquisition and Compensation. Hence, this Corrigendum is issued. The Para.5 in the Final Notification dated.30.10.2018 of even number published in the Karnataka State Gazette dated.01.01.2018 is omitted and replaced the Para.5 as mentioned under, the same shall be read as:

*"Now, therefore in exercise of the powers conferred under sub-section (1) of Section 19 of the Bangalore Development Authority Act 1976 (Karnataka Act No.12 of 1976). The Government of Karnataka hereby declares that the lands specified in the schedule noted below be the same a little more or less are needed for public purpose for the formation of "Dr. K. Shivarama Karantha Layout", and in exercise of the powers conferred with Sec.36 of the Bangalore Development Authority Act 1976 and Land Acquisition Act, 1894, the Land Acquisition Officer, Bangalore Development Authority, Bangalore, is hereby appointed to perform the functions of the Deputy Commissioner(Land Acquisition),under the said Land Acquisition Act and directed to take order for the acquisition of the said lands. The Land Owners mentioned in the Schedule have been given the option either to accept developed residential area i.e. 40% of 55% (9583 Sq.ft. per acre) or to Opt. for Compensation as per the Land Acquisition Act, 1894."*

Rest of the portion in the earlier Final Notification remain unchanged.

By Order and in the name of the  
Governor of Karnataka

(K.S.Jagadisha Reddy)  
Under Secretary to Government  
Urban Development Department.

**PR-61**